S.B.Cr.Misc. Interim Bail App. No. 6052/2007
(Jagdish Vs. State of Rajasthan)

Date of order : 11.12.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. R.K.Vishnoi for the petitioner.

Mr. Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the parties on the interim bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner submits that the father of the petitioner has died on 28.11.2007 and the petitioner being the elder son is to perform the last rites and rituals as per the Hindu Customs. Alternatively it is urged that the petitioner may be permitted to attend the ceremony in judicial custody.

During the course of arguments, it was contended that the petitioner is ready to deposit the charges and expenses incurred by Challani Guards estimated by the Jail Authorities at Central Jail, Jodhpur.

The petitioner is facing trial under Section 8/15 of the N.D.P.S. Act, as such, temporary bail is not acceptable, but looking to the cause, permission is granted to petitioner Jagdish S/o Late Manakram to attend the ceremony in judicial custody on 14.12.2007 subject to his depositing the charges estimated by

the jail authorities at Central Jail, Jodhpur.

Considering the cause, the petitioner is permitted to attend the last rites on 14.12.2007 in proper judicial custody subject to his depositing the charges and thereafter after completion of one day period i.e. 14.12.2007, the petitioner be again sent back to Central Jail, Jodhpur.

With these directions, the application stands disposed of.

(H.R.PANWAR), J.

rp